

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 14-76-BAT

V.

DETENTION ORDER

DAVID FUNK, JR.,

Defendant.

The Court has conducted a detention hearing under 18 U.S.C. § 3142(f), and concludes there are no conditions which the defendant can meet which would reasonably assure the defendant's appearance as required or the safety of any other person and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

17 Defendant is charged with a crime that carries a presumption of detention. Defendant
18 argues he should be released because his case involves only .5 grams of heroin. The complaint
19 alleges otherwise. The complaint alleges he sold .5 grams of heroin to a confidential source
20 (“CS”) and told the CS he was distributing additional amounts. Further when law enforcement
21 searched the property where defendant worked and lived, they found one kilogram of suspected
22 heroin, eight ounces of suspected methamphetamine, and a sizeable amount of cash. Defendant
23 allegedly admitted he sold heroin on a daily basis and used methamphetamine. Defendant also

1 argued he should be released because he was scheduled to start working at Boeing on Monday,
2 March 3, 2014. The pretrial office received conflicting information about defendant's
3 employment history and defendant presented nothing, other than his word, that established he
4 was scheduled to work. Given the nature of the offense, its strength, the multiple loose ends that
5 have not been tied up, issues regarding defendant's employment and where he would live if
6 released, the Court denied defendant's request for release.

7 It is therefore **ORDERED**:

8 (1) Defendant shall be detained pending trial and committed to the custody of the
9 Attorney General for confinement in a correctional facility separate, to the extent practicable,
10 from persons awaiting or serving sentences, or being held in custody pending appeal;

11 (2) Defendant shall be afforded reasonable opportunity for private consultation with
12 counsel;

13 (3) On order of a court of the United States or on request of an attorney for the
14 Government, the person in charge of the correctional facility in which Defendant is confined
15 shall deliver the defendant to a United States Marshal for the purpose of an appearance in
16 connection with a court proceeding; and

17 (4) The Clerk shall provide copies of this order to all counsel, the United States
18 Marshal, and to the United States Probation and Pretrial Services Officer.

19 DATED this 28th day of February 2014.

20
21 
22 BRIAN A. TSUCHIDA
23 United States Magistrate Judge